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JC836 U.S. PTO  
100-1100

09-11-00

A

Docket No. S101-DIV  
Express Mail Label No. EL 516 676 702 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PRI #3 ND 3  
8-16-01  
Prior Application:  
Examiner K. Truong  
Art Unit 3731

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is a request for filing a:

divisional application pursuant to 37 CFR §1.60, of pending prior application:

JC836 U.S. PTO  
09/658160  
09/08/00  
09/08/00

Serial No. 09/225,267 filed January 5, 1999,  
by Robert J. Greenberg; Joseph H. Schulman  
(inventor(s) currently of record in prior application)  
for METHOD AND APPARATUS FOR INTRAOCULAR RETINAL TACK  
INSERTER.

1. Enclosed is a copy of the prior application, including the oath or declaration as originally filed.

I hereby verify that the attached papers are a true copy of the prior application Serial No. 09/225,267 as originally filed January 5, 1999, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

2. The filing fee is calculated below:

Claims as filed					
For	# Filed	# Allowed	# Extra	Rate	Fee
Total Claims	<b>20</b>	-20 =	<b>0</b>	x \$9.00	<b>\$ 0</b>
Indep. Claims	<b>8</b>	-3 =	<b>5</b>	x \$39.00	<b>\$ 195.00</b>
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$
Basic Small Entity Filing Fee Filing					\$ 345.00
Total Small Entity Filing Fee					<b>\$ 540.00</b>

3. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. **50-0922**. A copy of this sheet is enclosed.
4. ✓ Cancel in this application original claim(s) 1-12 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

- a1 5. Amend the specification by inserting before the first line the sentence:  
--**This is a divisional of application Serial No. 09/225,267 filed January 5, 1999 .--**

6. The prior application is assigned of record to: **Second Sight, LLC**
7. A new power of attorney in is enclosed  
Arthur Freilich, Reg. No. 19,281
8. The statement(s) of Small Entity Status filed in the prior application is still proper.

  
\_\_\_\_\_  
Arthur Freilich, Reg. No. 19,281

\_\_\_\_\_  
9/5/00  
Date

Second Sight, LLC  
P.O. Box 905  
Santa Clarita, CA 91380-9005  
(661) 775-3995  
(661) 775-1595 fax

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Robert J. Greenberg

Docket No.

**S101-DIV**Serial No.  
09/225,267Filing Date  
Jan. 5, 1999Examiner  
K. TruongGroup Art Unit  
3731Invention: **METHOD AND APPARATUS FOR INTRAOCULAR RETINAL TACK INSERTER**

I hereby certify that the following correspondence:

**Divisional application**

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

Sept 8, 2000  
(Date)**Emily M. Stuart**

(Typed or Printed Name of Person Mailing Correspondence)

A handwritten signature of Emily M. Stuart is written over a horizontal line.

(Signature of Person Mailing Correspondence)

**EL 516 676 702 US**

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.